

# Fair Political Practices Commission

## Biennial Notice

January 2005

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TO: State Agencies

FROM: Fair Political Practices Commission  
(866) 275-3772 -or- (916) 322-5660

RE: 2005 Conflict-of-Interest Code  
Biennial Review and Report

The Political Reform Act (the “Act”) requires every state agency to review its conflict-of-interest code biennially and submit a report to the Fair Political Practices Commission that specifies if the code must be amended or, in the alternative, that the code accurately reflects the current organization of the agency and the job duties of the various positions listed in the code. The enclosed 2005 State Agency Biennial Report must be completed by a representative of your agency and returned to the FPPC no later than March 1, 2005.

If your agency’s code needs amending, the amendments must be submitted to the FPPC for approval within 90 days from the date the biennial report is filed. For example, if your agency files its report on March 1, 2005, the amendments must be submitted to the FPPC by May 30, 2005. Amendments to an agency’s code are not effective until approved by the FPPC.

Certain procedures must be followed to amend a conflict-of-interest code. Amendments to a code are classified as substantive (regulation 18750) or non-substantive (regulation 18752), depending on the types of revisions that need to be made. (These

regulations are available on the FPPC website). General procedures for making substantive and non-substantive amendments are discussed in the attached fact sheet “How to Amend a State Agency Conflict of Interest Code.”

The model disclosure categories attached to this notice (also available on the FPPC’s website) can be used by state agencies. These disclosure categories, which have been adopted by the FPPC, are not intended to be all-inclusive. You may need to reword the model language or add additional categories to capture all conceivable potential conflicts of interest for your agency’s designated employees. Your agency’s use of the categories is completely at your discretion. The categories are intended to help you develop language for disclosure categories. At this time, you might want to examine your existing disclosure categories and determine if one or more of the approved models would be better. If replacing one or more of your categories with the model categories increases or significantly decreases reporting for any of your designated employees, you may be required to amend your code through the procedures described in regulation 18750.

In the spring of 2005, the FPPC will be hosting several workshops on amending a state agency’s conflict of interest code (see the enclosed schedule for dates, times, and locations). We encourage anyone in your agency involved in the code amending process to attend one of these workshops.